IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

WP(C).No. 16484 of 2007(K)

PETITIONER:

SHOLLYKUTTY JOHN, LECTURER,
SELECTION GRADE, DEPARTMENT OF PHYSICS,
ST.JOSEPH'S COLLEGE, ALAPPUZHA.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, HIGHER EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, ERNAKULAM.

3. THE KERALA UNIVERSITY REPRESENTED BY
ITS REGISTRAR, PALAYAM, THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAJAGOPALAN NAIR
SR.GOVT.PLEADER SMT.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP.16484/2007)

EXT.P1: TRUE COPY OF ORDER DT. 2/7/2003.

EXT.P2: TRUE COPY OF ORDER DT. 7/5/2007.

EXT.P3: TRUE COPY OF GOVT. ORDER DT. 24/12/1996.

A.K. Basheer, J.

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W.P(C) No.16484 of 2007

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Dated this the 24th day of July, 2007.

J U D G M E N T

In this writ petition which is at the instance of a Selection Grade Lecturer working in the Department of Physics in St. Joseph's College, Alappuzha, the primary prayer is to issue a writ of mandamus or such other appropriate direction to respondent No.2 to grant her the benefits of revised UGC pay scale both in the Senior Scale and Selection Grade.

2. It is contended by the petitioner that she had worked in the college in short term vacancies for different spells from 1989 till 1996. All those appointments were approved by the University. Thereafter she was appointed against a regular vacancy with effect from June 1, 1996. The said appointment was also approved by the University. It is further contended by the petitioner that she is eligible to get the UGC scale of pay since she has got the requisite qualifications and service. According to her she is entitled to get the benefits of revised UGC scale attached to the post of Lecturer, Senior Scale with effect from June 1, 2001 till August 1, 2003 in terms of Ext.P1. Similarly the UGC scale attached to the post of Lecturer, Selection Grade has to be granted to her with effect from April 5, 2005 as ordered in Ext.P2. Petitioner has also placed reliance on Ext.P3 order of the Government in support of her claim. I do not propose to deal with any of the above contentions at this stage since in my view, the issue has to be considered by the

competent authority in the light of the judgment of the Division Bench in WA.940/2007 and connected cases. If respondent No.2 is of the view that any clarification is to be obtained from the University with regard to the eligibility of the petitioner for promotion as Senior Scale Lecturer and Selection Grade Lecturer with effect from the respective dates referred to above, such clarification shall be sought for and appropriate consequential orders shall be issued expeditiously. It shall be ensured by respondent No.2 that the above process is completed within two months from the date of receipt of a copy of this judgment. The entire arrears payable to the petitioner shall be disbursed to her in the light of the clarifications to be obtained from the University as expeditiously as possible, at any rate within an outer limit of three months from the date of receipt of a copy of this judgment.

A.K. Basheer
Judge.

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